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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/601,694	01/09/2001	Anders Andreasson	JMYT-217 US	8633

23122 7590 08/11/2003

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EXAMINER

JOHNSON, EDWARD M

ART UNIT	PAPER NUMBER
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1754

DATE MAILED: 08/11/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/601,694

Applicant(s)

ANDREASSON ET AL.

Examiner

Edward M. Johnson

Art Unit

1754

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 7/29/03 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☒ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

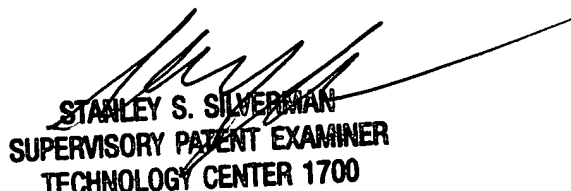
Claim(s) objected to: _____.

Claim(s) rejected: 1-8.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: It is argued that independent claims 1 and 7 stand rejected... (US 6,274,107). This is not persuasive because even though Applicant is correct and the Examiner was incorrect, regarding a statement of the order of the claimed elements, Applicant does not appear to respond to the Examiner's further comments that various arrangements are disclosed in the cited prior art. Applicant cites one embodiment that is different from the claimed invention. However, more than one embodiment is disclosed, as cited in the Office Action. Alcorn discloses SCR system catalyst -both- downstream -and- upstream (column 3, lines 26-29). Catalyst carriers 13 and 14 are located on -both sides- of the injection means. It is argued that further, as stated previously... of the present invention. This is not persuasive for reasons already of record. Both upstream and downstream catalysts are disclosed (see above). It is argued that as mentioned above, certain statements made in the Office Action reveal that Alcorn '776 has been misinterpreted by the Examiner. This is not persuasive because the Examiner misinterpreted the claim, not the cited reference (see above). However, even the correct interpretation of the order of claimed elements does not define over the cited prior art for reasons already of record. Applicant's argument regarding a "catalyst" vs. a "catalyst carrier" is not persuasive because it would seem apparent to those skilled in the art that a "catalyst carrier" would carry a catalyst and not simply be present as carrier without catalyst, as Applicant appears to suggest. It is argued that for completeness, the applicants note that the references were apparently confused by the Examiner.. the Office Action. Applicant correctly points out that the Examiner was referring to Applicant's request for clarification of Alcorn '776 is above. Repeated, catalyst elements 13 and 14 are disclosed both before and after ammonia supply 22. It is argued that in sum, the applicants contend... recent Office Action. This is not persuasive for the reasons above. Although Applicant is correct regarding the claimed order of elements, this order still does not define over the cited prior art. The Examiner again notes Applicant's apparent misunderstanding and instant clarification of the Examiner's citation regarding catalysts both before and after the injection means.


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